

Lambda Letters Project

32620

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Lavender Library, Archives
and Cultural Exchange
Sacramento, CA

Danger

by Boyce Hinman, Administrator

I see the same danger for our community that I recognize in myself: that desire to assimilate. The instinct to say, "See, we're just like you" is frightening. It means we accept the lie that the world is okay if only we can get in on the goodies.

—Jewelle Gomez in *This Is What a Lesbian Looks Like* (Firebrand Books, Ithaca, New York)

Last year and this year we have seen a growing number of state bills defining domestic partnerships and providing benefits to them that previously had been available only to married people. The bills are increasingly drawing a picture of domestic partnership as being between two adults. Any benefits made available to domestic partners are available to two adults only. For example, AB 26, which became law last year, says: "Domestic partners are two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring." Are we right in accepting this limited definition and that the benefits of domestic partnership shall be available to only two people? What about families that are built around three or more people?

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LLP in Transition

by Boyce Hinman, Administrator

By almost all measures Lambda Letters is one of the most successful LGBT civil rights organizations in this state—and possibly in any state. Yet it is one of the best kept secrets in California. We have always worked on a shoestring budget and with a small but very devoted group of volunteers.

Right now we have just six board members. They are a dedicated group of people but they need more help. The Project is going through a transition as it prepares for my retirement at the end of the year. We need a larger board to carry us through that transition period. Can you consider joining our board of directors?

We also need people with expertise in fundraising and publicity. More effective publicity and fundraising would do much to ease the transition to the hiring of a paid staff member. Do you have publicity or fundraising skills and would you be willing to offer them to Lambda Letters?

The Project is almost twelve years old. During that time it has delivered over half a million letters and messages to elected officials on issues that are vital to the LGBT community, as well as to women, people of color, and to those living with HIV. On many occasions

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Lambda Letters Progress Report

Messages Collected

March, 2000	10,491 letters & e-mails
In all of 2000	28,054 letters & e-mails

Dollars Spent

March, 2000	\$ 1,398
In all of 2000	\$ 4,827

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

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Fewer Mortgages to Minorities

By *Marty Martinez*

The United States Treasury Department issued a report in April which found that minorities are still receiving fewer home loans than their share of the population. The problem of banks and other funders granting fewer mortgage loans to minorities has always been a problem. The government has taken steps in the past to try to remedy the situation, including passage of the Community Reinvestment Act. The Treasury report was designed to track the progress of the Act.

Most media coverage of the Treasury report focused on the progress the report found in the number of home loans granted minorities during the nineties. And there was growth: banks and other lending institutions made over 1.7 million loans to residents of poor and moderate-income neighborhoods in 1998, a gain of 45 percent from 1993's figure.

But to emphasize the positive does not diminish the continued disparity. Clearly the government must remain vigilant to ensure the disparity continues to diminish.

You can find the text of the report on the US Treasury's Web site (www.treas.gov/press/releases/reports.htm). Its title is "The Community Reinvestment Act After Financial Modernization: A Baseline Report." The file is in Adobe Acrobat PDF format, for which you need the Acrobat Reader to read the document. (You can download the Reader free on the Web at www.adobe.com/products/acrobat/readermain.html.)

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Expanding Program for Women Prisoners and Their Children

By *Alice Chan*

U.S. prisons, with their overcrowded conditions and high proportion of minority inmates, are a source of international condemnation. Mandatory sentencing and the war on drugs have increased the problems many-fold and California is particularly egregious in its treatment of prisoners.

Approximately 11,500 women were inmates of California state prisons at the end of last year. This figure is double that of the 1980s and women now make up 7.2 percent of the state's prison population.

A new national study shows a remarkable surge in the number of women incarcerated for drug offenses: an 888 percent jump between 1986 and 1996, in comparison with a rise of 129 percent for non-drug offenses.

The study, commissioned by Del. Eleanor Holmes Norton (D-DC), also found that the majority of women in prison are incarcerated for nonviolent crimes, are mothers, and are incarcerated at great distances from their children. Two-thirds of female state prison inmates have children under age 18, and half of the women say their children never visit them in prison. Many children of female inmates are placed in foster care. The report finds that women's incarceration results in a disruption of children's living situation as well as creating emotional stress for both women and their children.

AB 2108, authored by Carole Migden (D-San Francisco), begins to redress this situation. California currently has a program called the Family Foundation Program (FFP), which places nonviolent female inmates with their children under the age of six in a small, secure community facility with their children (one child per mother). The inmate receives substance-abuse counseling, parental development classes, and other types of assistance, while the child receives services, sometimes attending pre-school or kindergarten outside the facility.

Currently this program is arbitrarily limited to women sentenced up to three years. For instance, there are only 18 women filling the 34 available slots in the

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On Herring Permits and Other Family Matters

by Christopher Calhoun

What does a herring have to do with discrimination? It's a tragic story as old as government regulation of the herring industry. A hardworking couple braves the sea's dangers and vicissitudes season after season to haul up their catch of silvery fish. Then fate steps in. The partner holding the herring permit—of which only a limited number are available—dies. The bereaved partner suddenly finds herself without a job. Her deceased partner's herring permit cannot be transferred after death without a legal spousal relationship, so in addition to grieving for her partner, she must search for a new livelihood.

Preferential treatment of heterosexual herring fishers is just one of probably over three hundred ways that California's laws discriminate against same-sex couples (no one has done an exact count). While herring fishing may seem like a laughing matter, the larger point is not: with spousal limits embedded throughout the California's legal codes (including the Fish and Game Code), you never know when you're going to run up against discrimination. A more sobering point still is that such discrimination most often kicks in during times of crisis—a death, an illness, unemployment, separation—just when you could use a helping hand instead of an upper cut.

Alas, none of the domestic partner bills currently moving through the California legislature addresses our exclusion from herring permit transfers. But other crucial family matters are being taken care of, and there are more every month.

Carole Migden (D-San Francisco) adds three domestic partner rights and responsibilities with AB 2421 (yes, the very promising Uniform Parentage Act bill got gutted in favor of stronger domestic partner action this year). Migden's bill includes the right to make an anatomical gift of a deceased partner's body, the right of one partner to use his or her own sick leave time to care for a sick partner, and the right of one partner to receive unemployment benefits when the other partner's job forces the couple to relocate.

AB 2211, the domestic partner bill of Sheila

Reauthorize the Ryan White CARE Act in the House

By Marty Martinez, Policy Coordinator, AIDS Project East Bay

The Ryan White Comprehensive AIDS Resources Emergency (CARE) Act is the principal program that funds most HIV and AIDS services throughout the nation. The Act provides money to states and other jurisdictions, as well as to private and nonprofit organizations, to provide support services to persons affected by HIV. Congress must reauthorize the Act by September 30, 2000 in order to ensure that there will be no disruptions to the services that tens of thousands of people living with HIV and AIDS receive. The CARE Act was last reauthorized in 1996.

The Ryan White CARE Act must be reauthorized. As of this writing, the reauthorization bill is making its way through the Senate as S. 2311 (James Jeffords, R-VT; and Edward Kennedy, D-MA), and has not yet been introduced in the House of Representatives. However, it will be shortly and hearings in the House should be taking place in May, with a final vote in June.

The CARE Act is divided into titles, each of which represents a separate funding stream. Title I funds are doled out to metropolitan regions and are used for outpatient health care; medical care; supportive services such as case management, home health, and hospice care; housing and transportation assistance; nutrition services; and inpatient case management.

Title II funds are awarded directly to states and fund home and community-based health care, a continuum of health insurance coverage, medical benefits provided through high-risk pools, medical and drug treatments, HIV care consortia and direct services. Also covered is the AIDS Drug Assistance Program (ADAP), which helps pay for medical treatments and pharmaceuticals to persons who cannot otherwise afford them.

Title III provides community health centers with funds for early intervention and comprehensive primary health care.

Title IV funds comprehensive and coordinated



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May Legislative Update

The following is the list of important state bills that we are aware of at this time.

There are important deadlines that affect state legislation. All new bills for this year had to be introduced no later than February 25th. Any additional bills will have to wait until next year before they can be introduced. However, legislators can introduce a new concept by changing the wording and purpose of an existing bill.

All bills have to be approved by a policy committee in each house of the legislature. In addition, any bills having significant cost to the state must be approved by the Appropriations Committees of both houses. Any bill having such costs must be approved by its policy committee no later than April 28th. Bills with no major cost to the state may be approved by their policy committees as late as May 12th.

Here are the definitions of three, perhaps unfamiliar, terms or phrases you will find in the following list of bills:

- **The consent calendar** is a list of bills that legislators expect everyone to approve of. To save time the bills are voted on as a group, rather than one by one. At the time of the vote, any one legislator can have a particular bill removed from the list for a separate vote.
- **The suspense file** is a list of bills that will be voted on individually, but at a later date. Often appropriations committees will put off votes in this way on expensive bills.
- **Reconsideration granted** means that when a bill is defeated in a committee vote, the committee will also vote to reconsider the bill at a later date.

HIV/AIDS Issues

AB 16 (Mike Honda, D-San Jose)

Purpose: Under current law the state and counties split the costs of providing publicly funded in-home supportive services for aged blind and disabled persons. However, if the counties or the agencies they contract with to provide the services grant a pay raise to the workers providing the care, the counties must foot the whole cost of the raise. This bill changes the law to say that even these pay raises will be funded equally by the state and the counties. Note: The budget just passed allows the state to pay 50 cents of any pay raise. The author is still pushing this bill to get the state to pay 50 percent of any pay raise.

Status: Passed by the Assembly. Is a two-year bill in the Senate Appropriations Committee suspense file. Probably will not be voted on by the committee till May.

LLP Position: Support.

AB 142 (Kevin Shelley, D-San Francisco)

Purpose: To require that every health care service plan provide medical care in accordance with accepted medical practices and provide emergency health care services and to ensure confidentiality of the medical information of an enrollee. Plans must provide access to a wide variety of primary health care providers and specialty health care providers to ensure that the enrollee is able to choose a qualified doctor or other health care provider.

Status: Approved by the Assembly. Is a two-year bill in the Senate Appropriations Committee suspense file. Probably will not be voted on by the committee till May.

LLP Position: Support.

AB 499 (Dion Aroner, D-Berkeley)

Purpose: To require the state Department of Health Services to establish a pilot program to test the effectiveness of providing an assisted living benefit to low income beneficiaries, including those with AIDS, under the Medi-Cal program.

Status: Approved by the Assembly and sent to the Senate. Assigned to the Senate Health and Human Services Committee. No hearing date set yet.

LLP Position: Support

Deborah A. Brooks
Certified Public Accountant



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May Legislative Update

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AB 591 (Howard Wayne, D-San Diego)

Purpose: To require health care service plans and certain disability insurers to cover routine patient costs related to treatment in a clinical trial of experimental medications.

Status: Is in the Senate Appropriations Committee. No action expected until June.

LLP Position: Support.

AB 1722 (Martin Gallegos, D-City of Industry)

Purpose: Previously passed legislation says that health care service plans can't stop covering a medication for a patient while the patent is under treatment for a particular ailment for which that drug has been prescribed. This legislation adds that the health care provider cannot increase the copayment or other deductible for the medication during the course of treatment of a disease for which the medication has been prescribed.

Status: Approved by the Assembly Health Committee and sent to the Assembly Appropriations Committee.

LLP Position: Support.

AB 1730 (Nell Soto, D-Ontario)

Purpose: To require every health care service plan to approve, modify, or deny—within 24 hours—a request for referral to a specialist for a patient facing an imminent and serious threat to his or her health.

Status: Dead.

LLP Position: Support.

AB 1745 (Nell Soto, D-Ontario)

Purpose: To require the completion of a one-semester course in health education as a requirement for high school graduation.

Status: Dead

LLP Position: Support.

AB 1798 (Audie Bock, I-Oakland)

Purpose: To collaborate with Alameda County to implement a pilot program to fund clinics that provide screening and harm-reduction services for HIV to also provide screening and harm-reduction services for hepatitis.

Status: Approved by the Assembly Health Committee and sent to the Assembly Appropriations Committee.

LLP Position: Support

AB 1955 (Carol Migden, D-San Francisco)

Purpose: To ask the federal government to provide funds for the design, establishment, and operation of a state program to offer medical assistance to workers with potentially severe disabilities.

Status: Approved by the Assembly Health Committee and sent to the Assembly Appropriations Committee.

LLP Position: Tentative support pending additional information.

AB 1981 (Gil Cedillo, D-Los Angeles)

Purpose: To specify that Medi-Cal utilization controls shall not prohibit Medi-Cal service providers from providing additional services through a prior authorization process that requires the demonstration of medical justification.

Status: The bill has been dropped by the author. Bill is dead.

LLP Position: Support.

AB 2037 (Ellen Corbett, D-San Leandro)

Purpose: Existing law requires the State Department of Social Services to conduct a demonstration project to provide certain services to children, under the age of 37 months, who are alcohol or drug exposed or who are HIV positive. This bill increases the age to 72 months.

Status: Approved by the Assembly Human Services Committee and sent to Assembly Appropriations Committee. No Hearing date set yet.

LLP Position: Support.

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May Legislative Update

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AB 2787 (Bill Leonard, R-Rancho Cucamonga)

Purpose: To authorize construction of a correctional facility designed to incarcerate inmates with special health needs due to advanced age or infection with HIV separately from the general prison population and which would address these inmates' needs in a manner consistent with department policy.

Status: Hearing in Assembly Public Safety Committee scheduled for April 25th was cancelled at author's request.

LLP Position: Watch while we give the bill further study.

AB 2809 (Robert Pacheco, R-City of Industry)

Purpose: Existing law requires that a blood specimen be obtained from a pregnant woman before or at the time of delivery. The blood must be tested for blood type and the presence of hepatitis B. This bill would require the blood also be tested for the presence of HIV. A woman could refuse HIV testing if she has been determined to be chronically infected with HIV or if a medical professional explains the purpose of testing and the currently approved treatments.

Status: Was to be heard in Assembly Health Committee, on April 25th. Vote delayed by author.

LLP Position: Oppose.

AJR 47 (Gil Cedillo, D-Los Angeles)

Purpose: Petitions the President and the U.S. Congress to quickly reauthorize the Ryan White CARE Act to ensure resources are available to meet the expanding health care and social service needs of people living with HIV disease.

Status: Approved by the Assembly and sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

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SB 848 (John Vasconcellos, D-San Jose)

Purpose: To require the state Department of Health Services to establish a voluntary program for the issuance of identification cards to qualified patients; and to establish procedures under which those patients may use marijuana for medical purposes.

Status: Passed the Senate. Is a two-year bill on the floor of the Assembly. No action on the bill is expected soon.

SB 1258 (Richard Polanco, D-Los Angeles)

Purpose: To require California to solicit approval from the federal government for California to provide Medi-Cal coverage to individuals who are HIV-positive, but do not have AIDS. Current federal regulations limit the provision of Medi-Cal to people who have AIDS or who are otherwise disabled.

Status: Passed by the Senate. Is a two-year bill in the Assembly Appropriations Committee. The author is negotiating with others to find changes in the bill needed to get enough votes to pass the bill. No votes on the bill expected until early June.

LLP Position: Support.

SB 2089 (Maurice Johannessen, R-Redding)

Purpose: To require that a physician recommending the use of marijuana to a patient keep very detailed records on the subject as specified. Its real purpose may be to discourage physicians from recommending the use of marijuana.

Status: Failed in a vote in the Senate Health and Human Services Committee, but reconsideration granted. Hearing cancelled by the author. The bill is probably dead.

LLP Position: Watch.

SB 2189 (Nell Soto, D-Ontario)

Purpose: To require the completion of a one-semester course in health education as a requirement for high school graduation.

Status: Approved by the Senate Education Committee and sent to the Senate Appropriations Committee.

LLP Position: Support.

Lesbian/Gay/Bisexual/Transgendered Issues

AB 1712 (Jim Cunneen, R-Campbell)

Purpose: To provide the death penalty, or life in prison without possibility of parole, for intentionally killing a

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May Legislative Update

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victim because of his or her actual or perceived gender, disability, or sexual orientation.

Status: Was approved by the Assembly Public Safety Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Oppose unless death penalty is removed from the bill.

AB 1785 (Antonio Villaraigosa, D–Los Angeles)

Purpose: To require school districts to report incidents of hate crimes in their schools and to establish procedures for doing so.

Status: Approved by the Assembly Public Safety Committee. Sent to the Assembly Appropriations Committee. Is in that committee's suspense file. Probably will be heard in late May.

LLP Position: Support.

AB 1809 (George Runner, R–Lancaster)

Purpose: To establish a statewide hate crimes registry and to require registry of those convicted of serious or violent felonies resulting in death or great bodily injury, certain sex crimes, hate-based crimes (including sexual orientation–based hate crimes) or a property crime against a religious institution resulting in more than \$5,000 in damage.

Status: Put on the Assembly Appropriations Committee's suspense file.

LLP Position: Watch until we get further details. The author has not been a friend. Is a registry the best deterrent to hate crimes?

AB 1851 (John Longville, D–San Bernardino)

Purpose: To provide directions to California courts as to how to process petitions from post-operative transsexuals for recognition of their new sex and new, gender-appropriate name.

Status: Approved by the Assembly and sent to the Senate.

LLP Position: Support. Lambda Letters is a sponsor of the bill.

AB 1906 (John Longville, D–San Bernardino)

Purpose: To remove funding restrictions in the Education Code's Hate Violence Protection Act.

Status: Approved by the Assembly Education Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1931 (Jack Scott, D–Pasadena)

Purpose: To require school districts to report annually on the number of suspensions and recommendations for expulsions resulting from school hate crimes. Appropriates \$150,000 for training to assist school district staff in identification of hate crimes, and provides \$200,000 for student and teacher training focused on overcoming prejudice, countering hatred, and fostering ethnic sensitivity.

Status: Put on the Assembly Appropriations Committee suspense calendar for a hearing in late May.

LLP Position: Support.

AB 1990 (Gloria Romero, D–Monterey Park)

Purpose: To grant domestic partners the right to make medical decisions for their partners if the partner is in a health facility and incapable of giving informed consent to recommended treatment.

Status: Approved in the Assembly Appropriations Committee and sent to the floor of the Assembly.

LLP Position: Support.

AB 2000 (Antonio Villaraigosa, D–Los Angeles)

Purpose: To establish the California Commission on Human Relations in the Department of Fair Employment and Housing (DFEH) to make policy recommendations to the Governor and the Legislature regarding the collection, dissemination of information, standards and guidelines for local human relations commissions. Appropriates \$150,000 to establish the commission.

Status: Was approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee.

LLP Position: Support.

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May Legislative Update

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AB 2040 (Kevin Shelley, D-San Francisco)

Purpose: To allow the courts to provide legal parental status to persons who use assistive reproductive technology to bear a child. The bill appears to give parental rights to the non-biological parent in same-sex couples who decide to have children.

Status: Introduced in Assembly. Not assigned to a committee yet.

LLP Position: Tentative support pending additional information.

AB 2047 (Darrell Steinberg, D-Sacramento)

Purpose: To provide inheritance rights through intestate succession for domestic partners when one of the partners dies without a will. Also allows domestic partners in such cases to be appointed as administrator of the estate of the deceased partner.

Status: Was approved by the Assembly Judiciary Committee and sent to the floor of the Assembly for a final vote in that house.

LLP Position: Support.

AB 2142 (Fred Keeley, D-Santa Cruz)

Purpose: To amend the California Fair Employment and Housing Act to prohibit employment and housing discrimination based on actual or perceived gender.

Status: Was approved by the Assembly Labor and Employment Committee and sent to the Assembly Appropriations Committee for a hearing on May 3rd.

LLP Position: Support. Lambda Letters is a cosponsor of the bill.

AB 2211 (Sheila Kuehl, D-Encino)

Purpose: To allow domestic partners the right to decide whether to have an autopsy performed, and make funeral arrangements after the death of a domestic partner, the right to sue for wrongful death and negligent infliction of emotional distress of a partner, and to allow reciprocity of registry from other jurisdictions.

Status: Was passed by the Assembly Judiciary and Appropriations Committees. Awaiting a final vote on the Assembly floor.

LLP Position: Support

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Men, Bears, Leather, Levi

May Legislative Update

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AB 2418 (Carole Migden, D–San Francisco)

Purpose: To prohibit an attorney from excusing a person from a jury simply because the person is a member of a particular racial, religious, ethnic, sexual orientation gender group, or on similar grounds.

Status: Will be heard in the Assembly Judiciary Committee, probably on May 2nd..

LLP Position: Support.

AB 2421 (Carole Midgen, D–San Francisco)

Purpose: The purpose of this bill was radically changed by amendment on April 6th. It now gives domestic partners several new rights, including the right to donate the organs of a deceased partner, the right to take sick leave to care for a domestic partner or the domestic partner's children or parents, the right to qualify for unemployment benefits if he or she voluntarily leaves a job to relocate with his or her partner, and the right to submit a disability insurance claim on behalf of his or her domestic partner if the partner is mentally unable to do so.

Status: Was approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee.

LLP Position: Support.

AB 2609 (Wally Knox, D–Los Angeles)

Purpose: To add social tolerance to the subjects that must be addressed in instruction in social sciences in grades 1 through 6.

Status: Approved by the Assembly Education Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

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ACA 21 (George House, R–Modesto)

Purpose: To provide that every parent has a fundamental right to control the care and custody of his or her minor children and to prohibit state action that may abridge or hinder this fundamental right absent a showing that the state's action is the least restrictive means of furthering a compelling state interest. This might be used to prevent the courts from protecting queer youth from their parents.

Status: Was defeated in the Assembly Judiciary Committee on March 28th. The bill is dead.

LLP Position: Oppose.

SB 118 (Tom Hayden, D–Los Angeles)

Purpose: To require employers to grant family and medical leave to employees who need to care for their domestic partners.

Status: Passed by the Senate and the Assembly. Returned to the Senate for concurrence with the changes made in the Assembly.

LLP Position: Support.



John
Vasconcellos

SB 1173 (John Vasconcellos D–San Jose)

Purpose: To allow courts to grant reasonable child visitation rights to de facto parents, including domestic partners in cases where the parents of a child have separated.

Status: Not assigned to a committee yet.

LLP Position: Watch. There is some concern this might be used against biological mothers.

SB 1329 (Betty Karnette, D–Long Beach)

Purpose: To require the State Department of Motor Vehicles to establish a special interest license program and to authorize the program for organizations that do not discriminate on the basis of race, gender, nationality, religion, political party affiliation, or sexual orientation and that submit a financial plan describing how the funds generated by the sale of the plates will be used, and submit a design of the license plate.

Status: Passed by Senate Transportation Committee and sent to Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

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May Legislative Update

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SB 1366 (Dick Monteith, R-Modesto)

Purpose: To direct the issuance of special license plates commemorating the Boy Scouts and directing that proceeds from the sale of these license plates go to the Boy Scouts. This organization discriminates on the basis of sexual orientation.

Status: Passed by Senate Transportation Committee and sent to Senate Appropriations Committee. No hearing date set yet.

LLP Position: Oppose.

SB 1489 (Tom Hayden, D-Los Angeles)

Purpose: To require that all local law enforcement agencies provide complete and accurate reports to the Attorney General of hate crimes in their jurisdictions whether or not funds are available.

Status: Was approved by the Senate Public Safety Committee and sent to the Senate Appropriations Committee for a hearing on May 1st.

LLP Position: Support.

SB 1569 (Tom Hayden, D-Los Angeles)

Purpose: To declare legislative intent to expand the definition of hate crimes to include those persons who are victimized based upon their association with other people of a specific race, religion, or sexual orientation.

Status: Was approved by the Senate Public Safety Committee and sent to the Assembly Appropriations Committee for a hearing on May 1st.

LLP Position: Support.

SB 1804 (Ray Haynes, R-Riverside)

Purpose: To exempt in the prohibition of unlawful employment practices, under the Fair Employment and Housing Act, the transfer of a student into or out of a classroom by a school district or a county office of education at the request of a student's parent or guardian. Would allow parents to take their children out of the classes of teachers because they object to the teacher's sexual orientation or gender identity.

Status: Introduced. Was defeated in the Senate Judiciary Committee.

LLP Position: Oppose.

SB 2025 (John Burton, D-San Francisco)

Purpose: To incorporate all the provisions of the Fair Employment and Housing Act (FEHA) into the State

Civil Service Act. Thus provides the protections of FEHA (including protections from sexual orientation-based discrimination) to state employees.

Status: Was approved by the Senate PERS Committee and sent to the Senate Appropriations Committee for a hearing on May 1st.

LLP Position: Support.

People of Color Issues



Gil Cedillo

AB 52 (Gil Cedillo, D-Los Angeles)

Purpose: The state runs several health programs that are partially supported with federal funds. Federal law says that neither federal nor state funds can be used to provide these programs to undocumented aliens. Federal law also says that state funding

may be used for this purpose if states pass specific legislation to provide these services to undocumented aliens with state funds. This law would do that.

Status: Passed the Assembly and all necessary Senate committees. Awaiting a vote on the Senate floor.

Author negotiating with the Governor to resolve differences.

LLP Position: Support.

SB 984 (Richard Polanco, D-Los Angeles)

Purpose: To establish March 31st as Cesar Chavez Day and to designate the date as a paid holiday for state employees.

Status: Has passed the Senate and the relevant Assembly Policy Committee. Is in the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

SB 1326 (Tom Hayden, D-Los Angeles)

Purpose: To require the State Department of Education to develop a human relations school curriculum addressing racism, sexism, homophobia, religious intolerance, and other forms of bigotry. Requires that school districts include the curriculum in their required course of study.

Status: Was approved by the Senate Education Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

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May Legislative Update

Continued from page 13

SB 1364 (Patrick Johnston, D-Stockton)

Purpose: Current law prohibits health care professionals and organizations from releasing the results of genetic testing to a third party without the prior written consent of the person tested. This bill stipulates that the prohibition also applies to genetic traits in which the person is asymptomatic for the disease which might result from a genetic trait.

Status: Passed by the full Senate and sent to the Assembly. Not assigned to a committee yet. May be double referred to the Assembly Health and Judiciary committees.

LLP Position: Support



Kevin Murray

SB 1389 (Kevin Murray, D-Los Angeles)

Purpose: To require state and local police forces to gather and report data about traffic stops by police officers including the race or ethnicity of the persons stopped.

Status: Approved by the Senate Public Safety Committee and sent to the Senate Appropriations Committee.

LLP Position: Support.

SB 1734 (Kevin Murray, D-Los Angeles)

Purpose: To declare legislative intent to enact laws to deter hate-motivated behavior, train teachers, school administrators, and law enforcement personnel regarding hate groups and hate-motivated behavior, improve tolerance and diversity curriculum for students in the lower elementary grades, and encourage community partnerships to minimize the influence of hate groups.

Status: Introduced. Not assigned to a committee yet. No hearing date set yet.

LLP Position: Support.



Howard Wayne

Women's Issues

AB 40 (Howard Wayne, D-San Diego)

Purpose: To establish the Breast Cancer Treatment Program for purposes of providing breast cancer treatment services to uninsured and under insured

women with incomes at or below 200 percent of the federal poverty level. Also to require the State Department of Health Services to administer the program only when the Legislature has appropriated funds for the program.

Status: Passed by the Assembly. Is in the suspense file of the Senate Appropriations Committee. Probably will not be voted on in that committee until late Spring or early summer.

LLP Position: Support.



Carole Migden

AB 398 (Carole Migden, D-San Francisco)

Purpose: To authorize the sale of bonds to provide funds for government backed affordable housing.

Status: Is in the Senate Housing and Community Development Committee. Assembly Member Migden is negotiating changes needed to get it approved by that committee. No hearing date set yet.

LLP Position: Support.

AB 525 (Sheila Kuehl, D-Encino)

Purpose: To require hospitals, and disability plans which provide health care services, include information in their promotional materials as to what family planning and reproductive services they provide. This will allow women to make informed decisions when determining which health plan to select.

Status: Passed by the Senate Insurance Committee and sent to the Senate Health and Human Services Committee. No hearing date set yet.

LLP Position: Support.

AB 1713 (Nell Soto, D-Ontario)

Purpose: To provide enhanced penalties for violent felonies that are committed in the presence of or witnessed by a child.

Status: Dead.

LLP Position: Support.



AB 1814 (Ted Lempert, D-Palo Alto)

Purpose: To provide that mothers who are breast feeding their children are exempt from

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May Legislative Update

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jury duty until they stop breast feeding their children.
Status: Was passed by the Assembly Judiciary Committee after minor amendments and sent to the Assembly Appropriations Committee. Is in the Assembly consent folder. May be voted on April 27th

LLP Position: Support.

AB 1856 (Sheila Kuehl, D-Encino)

Purpose: To make non-owner, non-supervisory employees liable for harassment of coworkers on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. Introduced to reverse a State Supreme Court decision that said such harassment by owners or supervisors is prohibited by law, but not harassment by coworkers.
Status: Approved by the Assembly Judiciary Committee and sent to the Assembly floor for a final vote in that house.

LLP Position: Support

AB 2038 (Elaine White Alquist, D-Santa Clara)

Purpose: To require a grantee in conducting or supporting a project of clinical research, to ensure that women of all ages and members of minority groups are included as subjects in the clinical research projects.
Status: Approved by the Assembly Appropriations Committee and sent to the floor of the Assembly.

LLP Position: Support.

AB 2108 (Carole Migden, D-San Francisco)

Purpose: To require that all terminally ill female inmates incarcerated within a correctional women's facility operated by, or pursuant to contract with, the Department of Corrections receive a standard of care similar to the treatment given to male inmates at the state prison facility in Vacaville.

Status: Passed by the Assembly and sent to the Senate.

LLP Position: Support.

SB 193 (Richard Polanco, D-Los Angeles)

Purpose: Existing law provides for the Breast Cancer Research Account in the Breast Cancer



Richard Polanco

Fund. Ninety percent of the moneys in the Breast Cancer Research Account is allocated to the Breast Cancer Research Program created at the University of California. This bill would require the State Department of Health Services to offer for sale breast cancer license plates to be sold at a price determined by the department, with the proceeds to be deposited into the Breast Cancer Research Account in the Breast Cancer Fund.

Status: Was passed by the Senate and sent to the Assembly. Is in the Assembly Appropriations Committee. Probably will not be heard until late Spring.

LLP Position: Support.



Jackie Speier

SB 1154 (Jackie Speier, D-Daly City)

Purpose: Would enact the California Breast and Gynecological Cancer Treatment Program, administered by the Managed Risk Medical Insurance Board, to provide treatment services to low-income, underinsured women.

Status: Passed the Senate and its Assembly policy committee. Senator Speier is negotiating with the Governor's office seeking his support. There may be a vote on the bill in late April or May in the Assembly Appropriations Committee.

LLP Position: Support

SB 1432 (Deirdre Alpert, D-San Diego)

Purpose: To allow employers to investigate alleged acts of unlawful harassment of one employee by another. The investigation may include consultation with a licensed private investigator or with persons qualified in human resource management.

Status: Assigned to the Senate Judiciary Committee. No hearing date set yet.

LLP Position: Support.

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Don't Know Who Represents You?

Send your request with a stamped, self-addressed envelope and we'll send you a complete list of your elected officials. Or go to www.lambdaletters.org



May Legislative Update

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SB 2183 (Nell Soto, D-Ontario)

Purpose: The purpose of this bill has been changed completely to a bill to support post violence mental trauma services for youth. This is not one of our subject areas. We will be dropping the bill from our list.

Status: Assigned to the Senate Judiciary Committee.

No hearing date set yet.

LLP Position: Neutral



Mike Honda

AB 2357 (Mike Honda, D-San Jose)

Purpose: To require employers to grant a victim of domestic abuse up to 15 days of unpaid leave in a twelve-month period so the employee can seek legal assistance, counseling, assistance from a domestic violence shelter, etc. to deal with the domestic

violence.

Status: Approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee.

LLP Position: Support.

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HIV/AIDS Issue

Continued from page 4

medical and psychosocial care for women, children, and youth living with HIV and their families. This program has done much to reduce perinatal HIV transmission and promote healthier outcomes for women and children.

As you can see, much is covered by the Ryan White CARE Act and much will be lost if it is not reauthorized. Please sign the enclosed letter to your local Congressmember today.

Note: HIV/AIDS Issue articles are made possible by a collaboration between Lambda Letters Project and AIDS Project East Bay.

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LGBT Issue

Continued from page 4

Kuehl (D-Encino), of course offers a solid array of new rights for domestic partners: the right to make autopsy and funeral arrangements, the right to sue for wrongful death and intentional infliction of emotional distress, the right to establish conservatorship, inclusion in the statutory will form, and reciprocity with other jurisdiction's domestic partner registries.

Darrell Steinberg (D-Sacramento), Gloria Romero (D-Monterey Park), and Tom Hayden (D-Los Angeles) are all carrying other critical protections for same-sex couples: inheritance rights, medical power of attorney, and family leave.

Clearly, the time has come for domestic partners. With strong public support and active leadership, California is poised to provide basic protections to its gay- and lesbian-led families.

The law provides a complex structure that shelters families—a home, so to speak, made of words—the practices and principles articulated in our state's Codes. Last year, lesbian and gay families bought a plot and laid the foundation—Migden's registry. Lesbian and gay families are still without shelter, for the most part, but this year it is being built beam by beam—by some of the most creative and hardworking legislative builders this state has to offer.

But be careful when you haul in your herring nets—we're still only part way there.



Tax Planning for 2000

Yes, we know, you just paid your taxes and this is the last thing you want to read about. However, it is always wise to plan when it comes to taxes.

According to the California Public Employees Retirement System (CALPERS), as of March 31st, 315 state and local government employees in California had enrolled their domestic partners in their employee health insurance program. Seventy-five retirees have added their domestic partners.

This has tax consequences. The value of the coverage for the domestic partner is taxable income at both the state and federal levels. CALPERS says they will not be issuing any reports (like a W-2 form) at the end of the year telling people the value of the health insurance that they will have to pay taxes on. In addition, employers will not withhold anything from salary or retirement checks to cover the taxes owed on the value of the insurance.

According to CALPERS, the value of the coverage for the domestic partner currently falls somewhere between \$164 and \$195 per month depending on the

health plan and the type of coverage. The amount also changes from year to year as CALPERS renegotiates premium levels with insurance providers. The premium value for each plan is detailed in the open enrollment packets issued by CALPERS in August of each year.

The information is also provided on CALPERS's Web page. To see the information do the following:

1. Go to the address: www.calpers.ca.gov.
2. Click on "CALPERS Programs."
3. Click on "Health Benefits Programs."
4. Click on "2000 Health Plan Rates."

Scroll down and look for your health plan. Under your health plan, look for the amount for "Employee Only" and "Employee Plus One Dependent." The difference between those two amounts is the value of the domestic partner's health insurance for one month. You must pay income tax on that amount times twelve months.

People who don't have Internet access or who need additional assistance may contact one of the regional CALPERS offices shown below:

Fresno: (559) 440-4900
Los Angeles: (310) 231-3464*
Mountain View: (650) 428-4600
Orange: (714) 939-4701
Sacramento: (800) 352-2238
San Bernardino: (909) 806-4800
San Diego: (619) 220-7200
San Francisco: (415) 369-8500

**After May 1st this office is moving to Glendale.*

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Women's Issue

Continued from page 1

program in Los Angeles County, due to the restrictive eligibility criteria regarding sentence length. AB 2108 would expand eligibility for the program to women sentenced up to four years. This expansion would allow more women to participate in a program designed to reduce recidivism and build family ties.

Although AB 2108 does not go far enough to correct the inequities between men's and women's prison facilities in California, it is a step in the right direction. To those 16 newly eligible mothers in Los Angeles County Jail, it can mean the difference between a lifetime spent in and out of jail, and the possibility of a return to life outside—with their children. ####

Breast Cancer Research and the DOD

In 1998 the Lambda Letters Project supported federal legislation to create and sell a breast cancer research postage stamp. Part of the proceeds from the sale of the stamp were to be used to support breast cancer research. As you know, the bill was passed and the stamp was issued. Lambda Letters now uses the stamp on all mail sent first class.

However, early last year a Lambda Letters member sent us some surprising news. Thirty percent of the funds raised by the stamp are being given to the US Department of Defense (DOD). The other 70 percent is given to the National Cancer Institute. Our member wondered if the money given to the DOD is being used to make war.

In response to the member's concern, we checked with the office of Congressmember Matsui (D-Sacramento). His staff looked into the matter and came back with the following explanation. One goal of breast cancer research is to develop better imaging techniques that would allow us to detect breast tumors through mammography at an earlier stage when the tumors are still small. The DOD has years of experience with radar, which is a kind of imaging. It was felt, with their long experience with such equipment, the DOD had the necessary skills to come up with better mammography techniques and equipment. It seemed like a prudent expenditure of at least some of the proceeds from the breast cancer stamps. Matsui's staff assured us that the DOD was not spending the money on war making or the preparation for war.

However, the concerns of some of our members have not been put to rest. So we looked into the matter again. Lambda Letters Board member Lynn Dobbs checked with his contacts among peace activists. Peace activism is one of his many passions. He found that peace organizations, in general, are not concerned by diverting breast cancer stamp funds to the Department of Defense for them to do breast cancer research.

Lynn noted that the DOD does health research in a number of areas that have no military application. For example, Balboa Naval Hospital in San Diego does research into liver diseases. Lynn says one reason they do this research is to attract highly competent medical personnel into the military and veterans' hospitals. It

Migden Introduces Domestic Partner Bill

In early April, Carole Migden (D-San Francisco) introduced a major new domestic partner bill (AB 2421) in the State Assembly. The deadline for introducing new legislation this year had already passed, so she did it by rewriting a bill that she had introduced before the deadline.

AB 2421 now gives domestic partners several new rights, including the right to donate the organs of a deceased partner, the right to take sick leave to care for a domestic partner or the domestic partner's children or parents, the right to qualify for unemployment benefits if he or she voluntarily leaves a job to relocate with his or her partner, and the right to submit a disability insurance claim on behalf of his or her domestic partner if the partner is mentally unable to do so.

Under current law employers are required to grant family sick leave to married employees to care for their family, but not to employees who are domestic partners. AB 2421 would eliminate this disparity.

The unemployment feature is an important one. For years a married person has been allowed to receive unemployment insurance benefits if he or she quits a job to follow a spouse who has moved to a job in a new location. The benefit provides an economic cushion to the couple as the spouse looks for a new job in the new location. For domestic partners there has been no such benefit and the couple has just had to do without the second income while the partner looks for work. Sometimes couples split because of the economic hardship.

AB 2421, if passed, will do much to strengthen domestic partner families. It is good legislation and Lambda Letters supports it.

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helps them give better medical care to our active military personnel and veterans.

Engaging in this research with civilian funds does not free up military funds for making war because the research would probably not be done if the civilian fund were not available. In fact the research may actually reduce the funds available for making war by creating related expenses for support staff, supplies, and laboratory facilities that are not paid for out of the civilian funding. ###

Danger

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Up until the 1950s the government said that families could not be made up of people of two different races. In the mid 1800s the government said that no more than two people could be married to each other. Granted, there has been a lot of abuse of women in polygamous marriages, but many of the men who forced an end to polygamy treated their wives like property, refused to let them vote, and prohibited them by law from keeping their earnings when they worked outside the home. At any rate, hasn't our community championed the view that the individuals involved should be the ones to define their own families?

In my grandfather's generation it was common for a husband to be responsible for the economic well-being of his wife and one or more of his wife's unmarried sisters. In such cases he probably paid his sister-in-law's medical bills. Today it is not unheard of for LGBT families to include three or more adults who share a loving relationship that is not unlike that of a happily married heterosexual family. Should we be accepting the concept of the two-party-only family?

In our rush to pass laws requiring employers to provide health coverage for their employee's domestic partners, are we forgetting the millions of people in this country who have no health insurance, employer-provided or otherwise? Will the steam go out of our drive for expanded health care coverage once we have gotten laws requiring domestic partner health coverage?

Lesbians, gays, and bisexuals are getting closer to realizing the dream of full tolerance, if not full acceptance, by society. We are doing this, in part, by accepting the demand that we become just like white, middle-class America. Where does this leave the person who was born Robert, but is now Roberta? Where does it leave the people who were born black, brown, or yellow and who always will be?

The rush to full acceptance of lesbians, gays, and bisexuals has been accelerating in recent years. As we rush towards full equality I think we need to give serious consideration to the above questions and others like them.

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LLP in Transition

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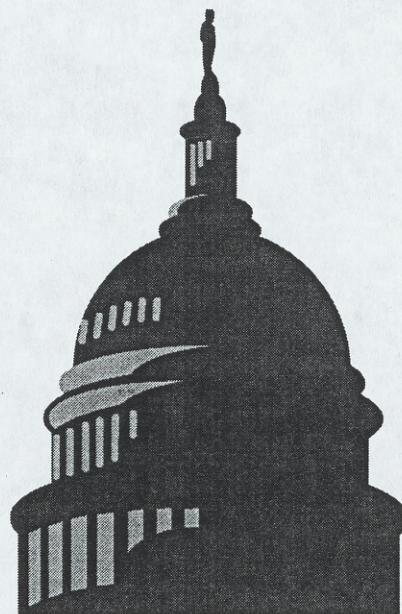
that mail has made the difference between a bill's survival and failure. Last year, for example, three very important LGBT civil rights bills were passed by our state legislature. That happened in spite of an avalanche of mail against the bills from our opponents. Lambda Letters fought back with a mail campaign of its own, delivering over 47,000 letters and messages of support for the bills. We won. They lost.

The California Alliance for Pride and Equality (CAPE), which employs a paid lobbyist, has been in existence for less than two years, yet it is much better known in California and receives much more in donations. Why the difference? The truth is they do a better job of publicity and fundraising.

Lambda Letters is going through a critical phase of its life as we transition to new leadership. I will be stepping down as Administrator at the end of the year. To help us through this period we need an enlarged board and we need people with fundraising and publicity skills to help us do a better job in those two areas.

Please help secure the future of Lambda Letters. Think seriously about joining our board of directors. If you have fundraising or publicity skills, please contact us. We need your help.

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